

Attorney's Docket No.: 09744-006001  
Client's Ref. No.: DITI 107

**OFFICIAL COMMUNICATION****FACSIMILE****FOR THE PERSONAL ATTENTION OF:****EXAMINER****GROUP 1645 FAX NO: 703-872-9306**

Number of pages including this page 3 pages

Applicant : Richard T. DEAN et al.  
Serial No. : 08/236,402  
Filed : May 2, 1994

Art Unit : 1645  
Examiner : Nita Minnifield

**FACSIMILE COMMUNICATION**

Title : TECHNETIUM-99m LABELED IMAGING AGENTS


Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached to this facsimile communication cover sheet is LETTER RE  
TERMINAL DISCLAIMER, faxed this day of December 11, 2001, to Group 1645, the United  
States Patent and Trademark Office.

Respectfully submitted,

Date: December 11, 2001

  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
Box Non-Fee Amendments  
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LETTER RE TERMINAL DISCLAIMER

S I R:

This is in response to a message received from the examiner on 5 December 2001.

Applicants appreciate the examiner having accepted the Terminal Disclaimer filed on 27 August 2001. The disclaimer was accompanied by an Amendment under 37 C.F.R. § 1.111 and applicants wish to call the examiner's attention to two typographical errors in the Remarks section of said amendment. On page 9, the term "instant application" which appears on line 4 should read "reference". Likewise, the word "application" which appears on the last line of page 9, should read "reference". It is obvious, from the context that these statements refer to the reference under discussion and not to any "application."

In her message, the examiner raised the question of whether another terminal disclaimer is needed in this application, namely a disclaimer over claims to issue in application No. 08/889,212. The '212 application is concerned with imaging agents in which there is a multiplicity of specific binding peptides which are covalently linked to a technetium binding moiety. The reagents claimed in the instant application have only a single specific binding peptide. Under the circumstances, it is submitted that there is no

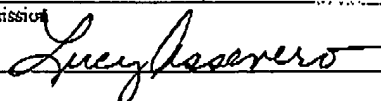
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potential obviousness-type double patenting situation and therefore a terminal disclaimer is not necessary.

Respectfully submitted,

Date: 11 Dec. 01

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